

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of Oregon

FILED 16 SEP '15 09:57 USDC-ORP

United States of America

v.

Jonathan Courtney

Case No.

'15-MJ-133

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 14, 2015 in the county of _____ in the
_____ District of Oregon, the defendant(s) violated:

Code Section

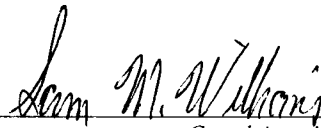
Offense Description

18 U.S.C. §§ 111(a) & (b)

Assault on a Federal Officer: On or about September 14, 2015, within the District of Oregon, defendant Jonathan Courtney did forcibly assault, resist, oppose, impede, intimidate and interfere with an officer or employee of the United States or of any agency in any branch of the United States Government while the individual was engaged in or on account of the performance of his official duties and that Courtney used a deadly or dangerous weapon in doing so, in violation of 18 U.S.C. §§ 111(a) and (b).

This criminal complaint is based on these facts:

See attached affidavit of Warm Springs Detective Sam Williams.

☒ Continued on the attached sheet.

Complainant's signature

Sam Williams, Detective Warm Springs Police Dept.

Printed name and title

Sworn to before me and signed in my presence.

Date: 09/16/2015

Judge's signature

City and state: Portland, Oregon

Hon. Patricia Sullivan, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT)
) ss. AFFIDAVIT
DISTRICT OF OREGON)

I, Sam M. Williams, detective for the Warm Springs Police Department, first being duly sworn, do hereby depose and say as follows:

1. I am a Task Force Agent with the Federal Bureau of Investigation (FBI) Safe Trails Violent Crimes Task Force. I have successfully completed the Criminal Investigator Training Program (CITP) at the Federal Law Enforcement Training Center in Glynco, Georgia. I am a Special Deputy U.S. Marshal authorized to investigate and enforce violations of the criminal laws set forth in Title 18, of the United States Code.
2. I have been a full time law enforcement officer for over 13 years, and have received over 1,950 hours of formal police training. I have been an investigator for over 8 years, and have had the opportunity to work on numerous cases involving assaults on officers.
3. This affidavit is made in support of a Criminal Complaint charging Jonathon Courtney with Assault on a Federal Officer, in violation of 18 U.S.C. §§ 111(a) and (b).
4. I know from talking with the officers involved and from my own personal involvement in the incident and investigation that on September 14, 2015, Patrol Officers of the Warm Springs Police Department responded to 1320 B Deer Loop, Warm Springs, Oregon to investigate a report that an intoxicated person had fired shots inside that residence. I know that 1320 B Deer Loop is within the exterior boundaries of the Warm Springs Indian Reservation, located within the District of Oregon. The initial call came into police dispatch at approximately 7:20 p.m.
5. When officers responded they initially evacuated an adjacent residence, 1320A Deer Loop, as well as some other nearby residences. The officers then attempted to talk to the resident at 1320B, who they knew to be Jonathan Courtney (Courtney), a Warm Springs Tribal member and Native American, with a date of birth (dob) of 07-XX-1980.
6. While the officers were attempting to contact Jonathan Courtney he called Warm Springs Detective Josh Capehart and requested to talk to the Warm Springs Chief of Police Dennis White III.
7. Chief White III was called about the incident and he responded to the area. After Chief White III arrived he walked towards the residence. As Chief White III was approaching the residence he observed Courtney standing in

the doorway of the residence. Chief White called out to Courtney and Courtney acknowledged Chief White III. At this point Chief White III was standing approximately 15 yards away from Courtney on the street in front of the property at 1320 B Deer Loop. After Courtney addressed Chief White III by name he then raised and pointed a Glock Model 19, 9mm pistol at Chief White III, and began counting down from 3. Chief White III stopped and then quickly backed away. Chief White III later told me when Courtney pointed the pistol at him, he believed he was going to be shot.

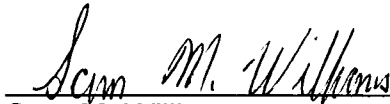
8. Chief White III is a commissioned Bureau of Indian Affairs (BIA) Federal Law Enforcement Officer and an officer or employee of the United States or an agency within a branch of the United States Government who is authorized to enforce violations of federal law, to include those in Title 18 of the United States Code. He was also responding to the incident within the course of his official duties.
9. As Chief White III was leaving the residence Siagigi Hintsataki DOB 10-XX-1978, a neighbor and friend of Courtney, ran into the residence with Courtney. Officers established a perimeter around the residence and continued to try and establish contact with Courtney.
10. Several times during this incident Courtney would come out of the residence with the pistol in his hand. At one point Courtney yelled for the police to send two officers in to get him and at another time he yelled "just shoot me." At one point officers heard Courtney "rack the slide" of his gun, indicating he was apparently putting a round in the chamber and that he was ready to shoot. During this standoff, Warm Springs Patrol Sgt. Danny Komning had taken a position across the street and was urging Jonathon to put down the pistol. Sgt. Komning is also a commissioned BIA Federal Law Enforcement Officer and an officer or employee of the United States or an agency within a branch of the United States Government who is authorized to enforce violations of federal law, to include those in Title 18 of the United States Code. He was also at the incident as part of his official duties.
11. At one point during the standoff when Courtney came out of the house he pointed the Glock pistol directly at Sgt. Komning and took a ready to shoot stance with a two handed grip on the pistol. Sgt. Komning, who was across the street about 20 yards away, later told me when Courtney pointed the pistol at him in that manner, he thought Courtney was going to shoot him. Courtney then pointed the gun in the direction of two other Warm Springs Police Officers. Courtney then went back into the house.
12. Courtney subsequently came out of the house again, with his pistol in his hand, and Siagigi Hintsataki followed him outside, locking the door of the residence behind her. Once outside, Courtney fired a shot in the general

direction of Sgt. Danny Komning. At this point Siagigi Hintsataki tried to wrestle the gun away from Courtney.

13. During the struggle between Courtney and Hintsataki, the pistol discharged, striking Hintsataki in the left leg. Hintsataki continued struggling with Courtney, throwing the pistol a short distance. Courtney then retrieved the pistol and then turned and went back to the residence and kicked open the door and dragged Hintsataki back inside
14. Early in the morning of September 15, 2015, Hintsataki walked out of the residence and officers went and got her and she was transported to St. Charles Hospital in Madras, Oregon. The FBI SWAT team then made entry into the residence and found Courtney asleep inside. He taken into custody on Tribal charges and booked into the Warm Springs Correctional Facility on Tribal charges. Inside the residence Officers found the Glock pistol Courtney had threatened the officers with, as well as multiple types of ammunition, to include 9mm ammunition, as well as four other firearms.
15. Special Agent Clayton Smith and I interviewed Hintsataki in the emergency room at St. Charles Hospital at about 3:20 a.m. on September 15, 2015. She stated she had seen Courtney point the gun at Chief White III, and she ran into Courtney's residence against the commands of the police on scene. Hintsataki stated she had calmed Courtney and he gave her the magazine from the pistol and a bullet from the chamber of the pistol. Believing the pistol was empty, Hintsataki followed Courtney out the door, locking it behind her. Hintsataki stated she tried to take the pistol from Courtney, saying that she was accidentally shot in the leg during the struggle. Courtney helped Hintsataki into his residence and dressed her wound.
16. Officer Tim King and I interviewed Courtney at the Warm Springs Police Department at about 7:09 p.m. I read Courtney his Miranda rights, and Courtney agreed to talk to us. Courtney stated he called Detective Capehart and asked for Chief White III to talk to him. Courtney remembered coming out of his residence with the pistol in his hand. Courtney remembered struggling with Hintsataki, and Hintsataki shooting herself in the leg. Courtney did not remember pointing the pistol at Chief White III, nor shooting a round in the general direction of Sgt. Komning. Courtney stated he would not put down the pistol, because if he was going to go, he was going to go "my way." Courtney said he did not want to hurt anyone, but inferred he wanted the police to shoot him. Courtney also said he was intoxicated during the incident.
17. At 7:45 p.m., I informed Courtney he was under arrest for Assaulting a Federal Officer.

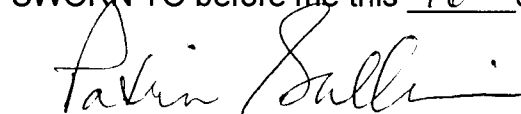
18. Based on the facts described above concerning the actions of Jonathan Courtney, I believe that probable cause exists that, on or about September 14, 2015, within the District of Oregon, Jonathan Courtney did forcibly assault, resist, oppose, impede, intimidate and interfere with an officer or employee of the United States or of any agency in any branch of the United States Government while the individual was engaged in or on account of the performance of his official duties and that Courtney used a deadly or dangerous weapon in doing so, thus committing the felony crime of Assault of a Federal Officer, in violation of 18 U.S.C. §§ 111(a) and (b).
19. Assistant United States Attorney Scott Kerin has reviewed this affidavit and concurs that it establishes probable cause for the issuance of a warrant for the arrest of Jonathan Courtney.

Dated this 16th day of September, 2016



Sam M. Williams
FBI Task Force Agent
Warm Springs Police Department
Investigations Division

SUBSCRIBED AND SWORN TO before me this 16th day of
September, 2015.



Honorable Judge Patricia Sullivan
United States Magistrate Court Judge
District of Oregon